

UNITED STATES COURT OF INTERNATIONAL TRADE

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SDC INTERNATIONAL AUST. PTY.	:
LTD.,	:
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Plaintiff,	:
	:
v.	:
	:
UNITED STATES,	:
	:
Defendant.	:
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Before: Richard K. Eaton, Judge

Court No. 16-00062

JUDGMENT

This case concerns the sixth administrative review of the antidumping duty order on certain steel nails from the People’s Republic of China (“PRC”). *See Certain Steel Nails From the PRC*, 81 Fed. Reg. 14,092 (Dep’t Commerce Mar. 16, 2016) (“Final Results”). Plaintiff SDC International Aust. PTY. Ltd.’s (“plaintiff” or “SDC”) commenced suit in this Court to challenge the Final Results in one respect: the inclusion of permutations of SDC’s company name in the PRC-wide entity, subjecting those name permutations to the PRC-wide rate (118.04 percent), instead of SDC’s separate rate (11.95 percent). *See Compl.*; *see also* Pl.’s 56.2 Br., ECF No. 28.

After plaintiff filed its motion for judgment on the agency record the parties jointly asked the court to remand this matter for further consideration by the United States Department of Commerce (“Commerce”). On January 20, 2017, the court directed Commerce to reconsider whether it improperly included permutations of SDC’s company name as a part of the PRC-wide entity. *See Order of Jan. 20, 2017*, ECF No. 31.

Before the court are the final results of Commerce’s redetermination following remand. *See Final Results of Redetermination Pursuant to Voluntary Remand Order*, ECF No. 35 (“Remand

Results”). In the Remand Results, Commerce determined that it would

continue to grant a separate rate to the name SDC provided on its business license – ‘SDC International Aust. PTY. LTD.’ – and no other names. However, [Commerce] will amend [its] [Final Results] and issue accompanying liquidation instructions indicating that any entries under ‘SDC International Australia Pty., Ltd.’ and ‘SDC International Australia (Pty) Ltd.’ for this review period may be assessed at the separate rate for ‘SDC International Aust. PTY. LTD.’ [Commerce] will no longer list these name permutations in the PRC-wide entity

Remand Results at 5-6. In its comments, SDC indicates its agreement with Commerce’s determinations on remand, and since “this is the relief that Plaintiff sought in this action,” asks the court to sustain the Remand Results. Pl.’s Cmts. Remand Results, ECF No. 37, 1-2. The defendant United States submits that it has complied with the court’s remand order and, there being no further dispute in this action, it, too, asks the court to sustain the Remand Results. *See* Def.’s Resp. Pl.’s Cmts. Remand Results, ECF No. 38.

Accordingly, it is hereby

ORDERED that the Final Results, except for the matters covered by the Remand Results, are sustained; it is further

ORDERED that the Remand Results are sustained; and it is further

ORDERED that the subject entries whose liquidation was enjoined in this action, *see* ECF No. 11 (order granting consent motion for preliminary injunction), must be liquidated in accordance with the court’s final decision, as provided for in 19 U.S.C. § 1516a(e) (2012).

/s/ Richard K. Eaton

Richard K. Eaton, Judge

Dated: July 3, 2017
New York, New York